

4 U.S.T. 1792

MULTILATERAL

NORTH ATLANTIC TREATY
Status of Forces

TIAS 2846

4 U.S.T. 1792

June 19, 1951, Date-Signed

August 23, 1953, Date-In-Force

STATUS:

[*1] Agreement, with Appendix, between the UNITED STATES OF AMERICA and OTHER GOVERNMENTS

Signed at London June 19, 1951

Ratification advised by the Senate of the United States of America, with statement, July 15, 1953

Ratified by the President of the United States of America, subject to said statement, July 24, 1953

Ratification of the United States of America deposited at Washington July 24, 1953

Proclaimed by the President of the United States of America October 27, 1953

Entered into force August 23, 1953

AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY REGARDING THE
STATUS OF THEIR FORCES

CONVENTION ENTRE LES ETATS PARTIES AU TRAITE DE L'ATLANTIQUE NORD SUR LE
STATUT DE LEURS FORCES

TEXT:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS an Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces was signed at London on June 19, 1951 on behalf of the United States of America and the other Parties to the North Atlantic Treaty;

WHEREAS the text of the said Agreement, in the English and French languages, is word for word as follows:

The Parties to the North Atlantic Treaty signed in Washington on 4th April, 1949, n1

-----Footnotes-----

n1 Treaties and Other International Acts Series 1964; 63 Stat., pt. 2, p. 2241.

-----End Footnotes----- [*2]

Considering that the forces of one Party may be sent, by arrangement, to serve in the territory of another Party;

Bearing in mind that the decision to send them and the conditions under which they will be sent, in so far as such conditions are not laid down by the present Agreement, will continue to be the subject of separate arrangements between the Parties concerned;

Desiring, however, to define the status of such forces while in the territory of another Party;

Have agreed as follows:

ARTICLE I

1. In this Agreement the expression--

(a) "force" means the personnel belonging to the land, sea or air armed services of one Contracting Party when in the territory of another Contracting Party in the North Atlantic Treaty area in connexion with their official duties, provided that the two Contracting Parties concerned may agree that certain individuals, units or formations shall not be regarded as constituting or included in a "force" for the purposes of the present Agreement;

(b) "civilian component" means the civilian personnel accompanying a force of a Contracting Party who are in the employ of an armed service of that Contracting Party, and who are not stateless persons, [*3] nor nationals of any State which is not a Party to the North Atlantic Treaty, nor nationals of, nor ordinarily resident in, the State in which the force is located;

(c) "dependent" means the spouse of a member of a force or of a civilian component, or a child of such member depending on him or her for support;

(d) "sending State" means the Contracting Party to which the force belongs;

(e) "receiving State" means the Contracting Party in the territory of which the force or civilian component is located, whether it be stationed there or passing in transit;

(f) "military authorities of the sending State" means those authorities of a sending State who are empowered by its law to enforce the military law of that State with respect to members of its forces or civilian components;

(g) "North Atlantic Council" means the Council established by Article 9 of the North Atlantic Treaty or any of its subsidiary bodies authorised to act on its behalf.

2. This Agreement shall apply to the authorities of political sub-divisions of the Contracting Parties, within their territories to which the Agreement applies or extends in accordance with Article XX, as it applies to the central [*4] authorities of those Contracting Parties, provided, however, that property owned by political sub-divisions shall not be considered to be property owned by a Contracting Party within the meaning of Article VIII.

ARTICLE II

It is the duty of a force and its civilian component and the members thereof as well as their dependents to respect the law of the receiving State, and to abstain from any activity inconsistent with the spirit of the present Agreement, and, in particular, from any political activity in the receiving State. It is also the duty of the sending State to take necessary measures to that end.

ARTICLE III

1. On the conditions specified in paragraph 2 of this Article and subject to compliance with the formalities established by the receiving State relating to entry and departure of a force or the members thereof, such members shall be exempt from passport and visa regulations and immigration inspection on entering or leaving the territory of a receiving State. They shall also be exempt from the regulations of the receiving State on the registration and control of aliens, but shall not be considered as acquiring any right to permanent residence or domicile in the territories [*5] of the receiving State.

2. The following documents only will be required in respect of members of a force. They must be presented on demand:

(a) personal identity card issued by the sending State showing names, date of birth, rank and number (if any), service, and photograph;

(b) individual or collective movement order, in the language of the sending State and in the English and French languages, issued by an appropriate agency of the sending State or of the North Atlantic Treaty Organisation and certifying to the status of the individual or group as a member or members of a force and to the movement ordered. The receiving State may require a movement order to be countersigned by its appropriate representative.

3. Members of a civilian component and dependents shall be so described in their passports.

4. If a member of a force or of a civilian component leaves the employ of the sending State and is not repatriated, the authorities of the sending State shall immediately inform the authorities of the receiving State, giving such particulars as may be required. The authorities of the sending State shall similarly inform the authorities of the receiving State of any member [*6] who has absented himself for more than twenty-one days.

5. If the receiving State has requested the removal from its territory of a member of a force or civilian component or has made an expulsion order against an ex-member of a force or of a civilian component or against a dependent of a member or ex-member, the authorities of the sending State shall be responsible for receiving the person concerned within their own territory or otherwise disposing of him outside the receiving State. This paragraph shall apply only to persons who are not nationals of the receiving State and have entered the receiving State as members of a force or civilian component or for the purpose of becoming such members, and to the dependents of such persons.

ARTICLE IV

The receiving State shall either

- (a) accept as valid, without a driving test or fee, the driving permit or licence or military driving permit issued by the sending State or a sub-division thereof to a member of a force or of a civilian component; or
- (b) issue its own driving permit or licence to any member of a force or civilian component who holds a driving permit or licence or military driving permit issued by the sending State [*7] or a sub-division thereof, provided that no driving test shall be required.

ARTICLE V

1. Members of a force shall normally wear uniform. Subject to any arrangement to the contrary between the authorities of the sending and receiving States, the wearing of civilian dress shall be on the same conditions as for members of the forces of the receiving State. Regularly constituted units or formations of a force shall be in uniform when crossing a frontier.

2. Service vehicles of a force or civilian component shall carry, in addition to their registration number, a distinctive nationality mark.

ARTICLE VI

Members of a force may possess and carry arms, on condition that they are authorised to do so by their orders. The authorities of the sending State shall give sympathetic consideration to requests from the receiving State concerning this matter.

ARTICLE VII

1. Subject to the provisions of this Article,

- (a) the military authorities of the sending State shall have the right to exercise within the receiving State all criminal and disciplinary jurisdiction conferred on them by the law of the sending State over all persons subject to the military law of that State;
- (b) the authorities [*8] of the receiving State shall have jurisdiction over the members of a force or civilian component and their dependents with respect to offences committed within the territory of the receiving State and punishable by the law of that State.

2.--(a) The military authorities of the sending State shall have the right to exercise exclusive jurisdiction over persons subject to the military law of that State with respect to offences, including offences relating to its security, punishable by the law of the sending State, but not by the law of the receiving State.

(b) The authorities of the receiving State shall have the right to exercise exclusive jurisdiction over members of a force or civilian component and their dependents with respect to offences, including offences relating to the security of that State, punishable by its law but not by the law of the sending State.

(c) For the purposes of this paragraph and of paragraph 3 of this Article a security offence against a

State shall include

- (i) treason against the State;
- (ii) sabotage, espionage or violation of any law relating to official secrets of that State, or secrets relating to the national defence of that State. [*9]

3. In cases where the right to exercise jurisdiction is concurrent the following rules shall apply:

(a) The military authorities of the sending State shall have the primary right to exercise jurisdiction over a member of a force or of a civilian component in relation to

- (i) offences solely against the property or security of that State, or offences solely against the person or property of another member of the force or civilian component of that State or of a dependent;
- (ii) offences arising out of any act or omission done in the performance of official duty.

(b) In the case of any other offence the authorities of the receiving State shall have the primary right to exercise jurisdiction.

(c) If the State having the primary right decides not to exercise jurisdiction, it shall notify the authorities of the other State as soon as practicable. The authorities of the State having the primary right shall give sympathetic consideration to a request from the authorities of the other State for a waiver of its right in cases where that other State considers such waiver to be of particular importance.

4. The foregoing provisions of this Article shall not imply any [*10] right for the military authorities of the sending State to exercise jurisdiction over persons who are nationals of or ordinarily resident in the receiving State, unless they are members of the force of the sending State.

5.--(a) The authorities of the receiving and sending States shall assist each other in the arrest of members of a force or civilian component or their dependents in the territory of the receiving State and in handing them over to the authority which is to exercise jurisdiction in accordance with the above provisions.

(b) The authorities of the receiving State shall notify promptly the military authorities of the sending State of the arrest of any member of a force or civilian component or a dependent.

(c) The custody of an accused member of a force or civilian component over whom the receiving State is to exercise jurisdiction shall, if he is in the hands of the sending State, remain with that State until he

is charged by the receiving State.

6.--(a) The authorities of the receiving and sending States shall assist each other in the carrying out of all necessary investigations into offences, and in the collection and production of evidence, including [*11] the seizure and, in proper cases, the handing over of objects connected with an offence. The handing over of such objects may, however, be made subject to their return within the time specified by the authority delivering them.

(b) The authorities of the Contracting Parties shall notify one another of the disposition of all cases in which there are concurrent rights to exercise jurisdiction.

7.--(a) A death sentence shall not be carried out in the receiving State by the authorities of the sending State if the legislation of the receiving State does not provide for such punishment in a similar case.

(b) The authorities of the receiving State shall give sympathetic consideration to a request from the authorities of the sending State for assistance in carrying out a sentence of imprisonment pronounced by the authorities of the sending State under the provision of this Article within the territory of the receiving State.

8. Where an accused has been tried in accordance with the provisions of this Article by the authorities of one Contracting Party and has been acquitted, or has been convicted and is serving, or has served, his sentence or has been pardoned, he may not be tried [*12] again for the same offence within the same territory by the authorities of another Contracting Party. However, nothing in this paragraph shall prevent the military authorities of the sending State from trying a member of its force for any violation of rules of discipline arising from an act or omission which constituted an offence for which he was tried by the authorities of another Contracting Party.

9. Whenever a member of a force or civilian component or a dependent is prosecuted under the jurisdiction of a receiving State he shall be entitled--

- (a) to a prompt and speedy trial;
- (b) to be informed, in advance of trial, of the specific charge or charges made against him;
- (c) to be confronted with the witnesses against him;
- (d) to have compulsory process for obtaining witnesses in his favour, if they are within the jurisdiction of the receiving State;
- (e) to have legal representation of his own choice for his defence or to have free or assisted legal representation under the conditions prevailing for the time being in the receiving State;
- (f) if he considers it necessary, to have the services of a competent interpreter; and
- (g) to communicate with a [*13] representative of the Government of the sending State and, when the rules of the court permit, to have such a representative present at his trial.

10.--(a) Regularly constituted military units or formations of a force shall have the right to police any camps, establishments or other premises which they occupy as the result of an agreement with the receiving State. The military police of the force may take all appropriate measures to ensure the maintenance of order and security on such premises.

(b) Outside these premises, such military police shall be employed only subject to arrangements with the authorities of the receiving State and in liaison with those authorities, and in so far as such employment is necessary to maintain discipline and order among the members of the force.

11. Each Contracting Party shall seek such legislation as it deems necessary to ensure the adequate security and protection within its territory of installations, equipment, property, records and official information of other Contracting Parties, and the punishment of persons who may contravene laws enacted for that purpose.

ARTICLE VIII

1. Each Contracting Party waives all its claims against any [*14] other Contracting Party for damage to any property owned by it and used by its land, sea or air armed services, if such damage--

- (i) was caused by a member or an employee of the armed services of the other Contracting Party in the execution of his duties in connexion with the operation of the North Atlantic Treaty; or
- (ii) arose from the use of any vehicle, vessel or aircraft owned by the other Contracting Party and used by its armed services, provided either that the vehicle, vessel or aircraft causing the damage was being used in connexion with the operation of the North Atlantic Treaty, or that the damage was caused to property being so used.

Claims for maritime salvage by one Contracting Party against any other Contracting Party shall be waived, provided that the vessel or cargo salved was owned by a Contracting Party and being used by its armed services in connexion with the operation of the North Atlantic Treaty.

2.--(a) In the case of damage caused or arising as stated in paragraph 1 to other property owned by a Contracting Party and located in its territory, the issue of the liability of any other Contracting Party shall be determined and the amount of damage shall [*15] be assessed, unless the Contracting Parties concerned agree otherwise, by a sole arbitrator selected in accordance with sub-paragraph (b) of this paragraph. The arbitrator shall also decide any counter-claims arising out of the same incident.

(b) The arbitrator referred to in sub-paragraph (a) above shall be selected by agreement between the Contracting Parties concerned from amongst the nationals of the receiving State who hold or have held high judicial office. If the Contracting Parties concerned are unable, within two months, to agree upon the arbitrator, either may request the Chairman of the North Atlantic Council Deputies to select a person with the aforesaid qualifications.

(c) Any decision taken by the arbitrator shall be binding and conclusive upon the Contracting Parties.

(d) The amount of any compensation awarded by the arbitrator shall be distributed in accordance with the provisions of paragraph 5 (e) (i), (ii) and (iii) of this Article.

(e) The compensation of the arbitrator shall be fixed by agreement between the Contracting Parties concerned and shall, together with the necessary expenses incidental to the performance of his duties,

be [*16] defrayed in equal proportions by them.

(f) Nevertheless, each Contracting Party waives its claim in any such case where the damage is less than:--

Belgium: B.fr. 70,000.	Luxembourg: L.fr. 70,000.
Canada: \$ 1,460.	Netherlands: Fl. 5,320.
Denmark: Kr. 9,670.	Norway: Kr. 10,000.
France: F.fr. 490,000.	Portugal: Es. 40,250.
Iceland: Kr. 22,800.	United Kingdom: £ 500.
Italy: Li. 850,000.	United States: \$ 1,400.

Any other Contracting Party whose property has been damaged in the same incident shall also waive its claim up to the above amount. In the case of considerable variation in the rates of exchange between these currencies the Contracting Parties shall agree on the appropriate adjustments of these amounts.

3. For the purposes of paragraphs 1 and 2 of this Article the expression "owned by a Contracting Party" in the case of a vessel includes a vessel on bare boat charter to that Contracting Party or requisitioned by it on bare boat terms or seized by it in prize (except to the extent that the risk of loss or liability is borne by some person other than such Contracting Party).

4. Each Contracting Party waives all its claims against any other Contracting Party for injury [*17] or death suffered by any member of its armed services while such member was engaged in the performance of his official duties.

5. Claims (other than contractual claims and those to which paragraphs 6 or 7 of this Article apply) arising out of acts or omissions of members of a force or civilian component done in the performance of official duty, or out of any other act, omission or occurrence for which a force or civilian component is legally responsible, and causing damage in the territory of the receiving State to third parties, other than any of the Contracting Parties, shall be dealt with by the receiving State in accordance with the following provisions:--

(a) Claims shall be filed, considered and settled or adjudicated in accordance with the laws and regulations of the receiving State with respect to claims arising from the activities of its own armed forces.

(b) The receiving State may settle any such claims, and payment of the amount agreed upon or determined by adjudication shall be made by the receiving State in its currency.

(c) Such payment, whether made pursuant to a settlement or to adjudication of the case by a competent tribunal of the receiving State, [*18] or the final adjudication by such a tribunal denying payment, shall be binding and conclusive upon the Contracting Parties.

(d) Every claim paid by the receiving State shall be communicated to the sending States concerned together with full particulars and a proposed distribution in conformity with sub-paragraphs (e) (i), (ii) and (iii) below. In default of a reply within two months, the

proposed distribution shall be regarded as accepted.

(e) The cost incurred in satisfying claims pursuant to the preceding subparagraphs and paragraph 2 of this Article shall be distributed between the Contracting Parties, as follows:--

- (i) Where one sending State alone is responsible, the amount awarded or adjudged shall be distributed in the proportion of 25 per cent. chargeable to the receiving State and 75 per cent. chargeable to the sending State.
- (ii) Where more than one State is responsible for the damage, the amount awarded or adjudged shall be distributed equally among them: however, if the receiving State is not one of the States responsible, its contribution shall be half that of each of the sending States.
- (iii) Where the damage was caused by the armed services of the Contracting [*19] Parties and it is not possible to attribute it specifically to one or more of those armed services, the amount awarded or adjudged shall be distributed equally among the Contracting Parties concerned: however, if the receiving State is not one of the States by whose armed services the damage was caused, its contribution shall be half that of each of the sending States concerned.
- (iv) Every half-year, a statement of the sums paid by the receiving State in the course of the half-yearly period in respect of every case regarding which the proposed distribution on a percentage basis has been accepted, shall be sent to the sending States concerned, together with a request for reimbursement. Such reimbursement shall be made within the shortest possible time, in the currency of the receiving State.

(f) In cases where the application of the provisions of sub-paragraphs (b) and (e) of this paragraph would cause a Contracting Party serious hardship, it may request the North Atlantic Council to arrange a settlement of a different nature.

(g) A member of a force or civilian component shall not be subject to any proceedings for the enforcement of any judgment given against him [*20] in the receiving State in a matter arising from the performance of his official duties.

(h) Except in so far as sub-paragraph (e) of this paragraph applies to claims covered by paragraph 2 of this Article, the provisions of this paragraph shall not apply to any claim arising out of or in connexion with the navigation or operation of a ship or the loading, carriage, or discharge of a cargo, other than claims for death or personal injury to which paragraph 4 of this Article does not apply.

6. Claims against members of a force or civilian component arising out of tortious acts or omissions in the receiving State not done in the performance of official duty shall be dealt with in the following manner:--

(a) The authorities of the receiving State shall consider the claim and assess

compensation to the claimant in a fair and just manner, taking into account all the circumstances of the case, including the conduct of the injured person, and shall prepare a report on the matter.

(b) The report shall be delivered to the authorities of the sending State, who shall then decide without delay whether they will offer an *ex gratia* payment, and if so, of what amount.

([*21] c) If an offer of *ex gratia* payment is made, and accepted by the claimant in full satisfaction of his claim, the authorities of the sending State shall make the payment themselves and inform the authorities of the receiving State of their decision and of the sum paid.

(d) Nothing in this paragraph shall affect the jurisdiction of the courts of the receiving State to entertain an action against a member of a force or of a civilian component unless and until there has been payment in full satisfaction of the claim.

7. Claims arising out of the unauthorised use of any vehicle of the armed services of a sending State shall be dealt with in accordance with paragraph 6 of this Article, except in so far as the force or civilian component is legally responsible.

8. If a dispute arises as to whether a tortious act or omission of a member of a force or civilian component was done in the performance of official duty or as to whether the use of any vehicle of the armed services of a sending State was unauthorised, the question shall be submitted to an arbitrator appointed in accordance with paragraph 2 (b) of this Article, whose decision on this point shall be final and conclusive. [*22]

9. The sending State shall not claim immunity from the jurisdiction of the courts of the receiving State for members of a force or civilian component in respect of the civil jurisdiction of the courts of the receiving State except to the extent provided in paragraph 5 (g) of this Article.

10. The authorities of the sending State and of the receiving State shall co-operate in the procurement of evidence for a fair hearing and disposal of claims in regard to which the Contracting Parties are concerned.

ARTICLE IX

1. Members of a force or of a civilian component and their dependents may purchase locally goods necessary for their own consumption, and such services as they need, under the same conditions as the nationals of the receiving State.

2. Goods which are required from local sources for the subsistence of a force or civilian component shall normally be purchased through the authorities which purchase such goods for the armed services of the receiving State. In order to avoid such purchases having any adverse effect on the economy of the receiving State, the competent authorities of that State shall indicate, when necessary, any articles the purchase of which should be restricted [*23] or forbidden.

3. Subject to agreements already in force or which may hereafter be made between the authorised

representatives of the sending and receiving States, the authorities of the receiving State shall assume sole responsibility for making suitable arrangements to make available to a force or a civilian component the buildings and grounds which it requires, as well as facilities and services connected therewith. These agreements and arrangements shall be, as far as possible, in accordance with the regulations governing the accommodation and billeting of similar personnel of the receiving State. In the absence of a specific contract to the contrary, the laws of the receiving State shall determine the rights and obligations arising out of the occupation or use of the buildings, grounds, facilities or services.

4. Local civilian labour requirements of a force or civilian component shall be satisfied in the same way as the comparable requirements of the receiving State and with the assistance of the authorities of the receiving State through the employment exchanges. The conditions of employment and work, in particular wages, supplementary payments and conditions for the protection [*24] of workers, shall be those laid down by the legislation of the receiving State. Such civilian workers employed by a force or civilian component shall not be regarded for any purpose as being members of that force or civilian component.

5. When a force or a civilian component has at the place where it is stationed inadequate medical or dental facilities, its members and their dependents may receive medical and dental care, including hospitalisation, under the same conditions as comparable personnel of the receiving State.

6. The receiving State shall give the most favourable consideration to requests for the grant to members of a force or of a civilian component of travelling facilities and concessions with regard to fares. These facilities and concessions will be the subject of special arrangements to be made between the Governments concerned.

7. Subject to any general or particular financial arrangements between the Contracting Parties, payment in local currency for goods, accommodation and services furnished under paragraphs 2, 3, 4 and, if necessary, 5 and 6, of this Article shall be made promptly by the authorities of the force.

8. Neither a force, nor a civilian component, nor [*25] the members thereof, nor their dependents, shall by reason of this Article enjoy any exemption from taxes or duties relating to purchases and services chargeable under the fiscal regulations of the receiving State.

ARTICLE X

1. Where the legal incidence of any form of taxation in the receiving State depends upon residence or domicile, periods during which a member of a force or civilian component is in the territory of that State by reason solely of his being a member of such force or civilian component shall not be considered as periods of residence therein, or as creating a change of residence or domicile, for the purposes of such taxation. Members of a force or civilian component shall be exempt from taxation in the receiving State on the salary and emoluments paid to them as such members by the sending State or on any tangible movable property the presence of which in the receiving State is due solely to their temporary presence there.

2. Nothing in this Article shall prevent taxation of a member of a force or civilian component with respect to any profitable enterprise, other than his employment as such member, in which he may engage in the receiving State, and, except as regards [*26] his salary and emoluments and the

tangible movable property referred to in paragraph 1, nothing in this Article shall prevent taxation to which, even if regarded as having his residence or domicile outside the territory of the receiving State, such a member is liable under the law of that State.

3. Nothing in this Article shall apply to "duty" as defined in paragraph 12 of Article XI.

4. For the purposes of this Article the term "member of a force" shall not include any person who is a national of the receiving State.

ARTICLE XI

1. Save as provided expressly to the contrary in this Agreement, members of a force and of a civilian component as well as their dependents shall be subject to the laws and regulations administered by the customs authorities of the receiving State. In particular the customs authorities of the receiving State shall have the right, under the general conditions laid down by the laws and regulations of the receiving State, to search members of a force or civilian component and their dependents and to examine their luggage and vehicles, and to seize articles pursuant to such laws and regulations.

2.--(a) The temporary importation and the re-exportation of service [*27] vehicles of a force or civilian component under their own power shall be authorised free of duty on presentation of a triptyque in the form shown in the Appendix to this Agreement.

(b) The temporary importation of such vehicles not under their own power shall be governed by paragraph 4 of this Article and the re-exportation thereof by paragraph 8.

(c) Service vehicles of a force or civilian component shall be exempt from any tax payable in respect of the use of vehicles on the roads.

3. Official documents under official seal shall not be subject to customs inspection. Couriers, whatever their status, carrying these documents must be in possession of an individual movement order, issued in accordance with paragraph 2 (b) of Article III. This movement order shall show the number of despatches carried and certify that they contain only official documents.

4. A force may import free of duty the equipment for the force and reasonable quantities of provisions, supplies and other goods for the exclusive use of the force and, in cases where such use is permitted by the receiving State, its civilian component and dependents. This duty-free importation shall be subject to the deposit, [*28] at the customs office for the place of entry, together with such customs documents as shall be agreed, of a certificate in a form agreed between the receiving State and the sending State signed by a person authorised by the sending State for that purpose. The designation of the person authorised to sign the certificates as well as specimens of the signatures and stamps to be used, shall be sent to the customs administration of the receiving State.

5. A member of a force or civilian component may, at the time of his first arrival to take up service in the receiving State or at the time of the first arrival of any dependent to join him, import his personal effects and furniture free of duty for the term of such service.

6. Members of a force or civilian component may import temporarily free of duty their private motor vehicles for the personal use of themselves and their dependents. There is no obligation under this Article to grant exemption from taxes payable in respect of the use of roads by private vehicles.

7. Imports made by the authorities of a force other than for the exclusive use of that force and its civilian component, and imports, other than those dealt with in paragraphs [*29] 5 and 6 of this Article, effected by members of a force or civilian component are not, by reason of this Article, entitled to any exemption from duty or other conditions.

8. Goods which have been imported duty-free under paragraphs 2 (b), 4, 5 or 6 above--

(a) may be re-exported freely, provided that, in the case of goods imported under paragraph 4, a certificate, issued in accordance with that paragraph, is presented to the customs office: the customs authorities, however, may verify that goods re-exported are as described in the certificate, if any, and have in fact been imported under the conditions of paragraphs 2 (b), 4, 5 or 6 as the case may be;

(b) shall not normally be disposed of in the receiving State by way of either sale or gift: however, in particular cases such disposal may be authorised on conditions imposed by the authorities concerned of the receiving State (for instance, on payment of duty and tax and compliance with the requirements of the controls of trade and exchange).

9. Goods purchased in the receiving State shall be exported therefrom only in accordance with the regulations in force in the receiving State.

10. Special arrangements [*30] for crossing frontiers shall be granted by the customs authorities to regularly constituted units or formations, provided that the customs authorities concerned have been duly notified in advance.

11. Special arrangements shall be made by the receiving State so that fuel, oil and lubricants for use in service vehicles, aircraft and vessels of a force or civilian component, may be delivered free of all duties and taxes.

12. In paragraphs 1-10 of this Article--

"duty" means customs duties and all other duties and taxes payable on importation or exportation, as the case may be, except dues and taxes which are no more than charges for services rendered;

"importation" includes withdrawal from customs warehouses or continuous customs custody, provided that the goods concerned have not been grown, produced or manufactured in the receiving State.

13. The provisions of this Article shall apply to the goods concerned not only when they are imported into or exported from the receiving State, but also when they are in transit through the territory of a Contracting Party, and for this purpose the expression "receiving State" in this Article shall be regarded as including any Contracting Party [*31] through whose territory the goods are passing in transit.

1. The customs or fiscal authorities of the receiving State may, as a condition of the grant of any customs or fiscal exemption or concession provided for in this Agreement, require such conditions to be observed as they may deem necessary to prevent abuse.
2. These authorities may refuse any exemption provided for by this Agreement in respect of the importation into the receiving State of articles grown, produced or manufactured in that State which have been exported therefrom without payment of, or upon repayment of, taxes or duties which would have been chargeable but for such exportation. Goods removed from a customs warehouse shall be deemed to be imported if they were regarded as having been exported by reason of being deposited in the warehouse.

ARTICLE XIII

1. In order to prevent offences against customs and fiscal laws and regulations, the authorities of the receiving and of the sending States shall assist each other in the conduct of enquiries and the collection of evidence.
2. The authorities of a force shall render all assistance within their power to ensure that articles liable to seizure by, or on [*32] behalf of, the customs or fiscal authorities of the receiving State are handed to those authorities.
3. The authorities of a force shall render all assistance within their power to ensure the payment of duties, taxes and penalties payable by members of the force or civilian component or their dependents.
4. Service vehicles and articles belonging to a force or to its civilian component, and not to a member of such force or civilian component, seized by the authorities of the receiving State in connexion with an offence against its customs or fiscal laws or regulations shall be handed over to the appropriate authorities of the force concerned.

ARTICLE XIV

1. A force, a civilian component and the members thereof, as well as their dependents, shall remain subject to the foreign exchange regulations of the sending State and shall also be subject to the regulations of the receiving State.
2. The foreign exchange authorities of the sending and the receiving States may issue special regulations applicable to a force or civilian component or the members thereof as well as to their dependents.

ARTICLE XV

1. Subject to paragraph 2 of this Article, this Agreement shall remain in force in the [*33] event of hostilities to which the North Atlantic Treaty applies, except that the provisions for settling claims in paragraphs 2 and 5 of Article VIII shall not apply to war damage, and that the provisions of the Agreement, and, in particular of Articles III and VII, shall immediately be reviewed by the Contracting Parties concerned, who may agree to such modifications as they may consider desirable regarding the application of the Agreement between them.

2. In the event of such hostilities, each of the Contracting Parties shall have the right, by giving 60 days' notice to the other Contracting Parties, to suspend the application of any of the provisions of this Agreement so far as it is concerned. If this right is exercised, the Contracting Parties shall immediately consult with a view to agreeing on suitable provisions to replace the provisions suspended.

ARTICLE XVI

All differences between the Contracting Parties relating to the interpretation or application of this Agreement shall be settled by negotiation between them without recourse to any outside jurisdiction. Except where express provision is made to the contrary in this Agreement, differences which cannot be settled by direct [*34] negotiation shall be referred to the North Atlantic Council.

ARTICLE XVII

Any Contracting Party may at any time request the revision of any Article of this Agreement. The request shall be addressed to the North Atlantic Council.

ARTICLE XVIII

1. The present Agreement shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which shall notify each signatory State of the date of deposit thereof.

2. Thirty days after four signatory States have deposited their instruments of ratification the present Agreement shall come into force between them. It shall come into force for each other signatory State thirty days after the deposit of its instrument of ratification.

3. After it has come into force, the present Agreement shall, subject to the approval of the North Atlantic Council and to such conditions as it may decide, be open to accession on behalf of any State which accedes to the North Atlantic Treaty. Accession shall be effected by the deposit of an instrument of accession with the Government of the United States of America, which shall notify each signatory and acceding State of the date of deposit [*35] thereof. In respect of any State on behalf of which an instrument of accession is deposited, the present Agreement shall come into force thirty days after the date of the deposit of such instrument.

ARTICLE XIX

1. The present Agreement may be denounced by any Contracting Party after the expiration of a period of four years from the date on which the Agreement comes into force.

2. The denunciation of the Agreement by any Contracting Party shall be effected by a written notification addressed by that Contracting Party to the Government of the United States of America which shall notify all the other Contracting Parties of each such notification and the date of receipt thereof.

3. The denunciation shall take effect one year after the receipt of the notification by the Government of the United States of America. After the expiration of this period of one year, the Agreement shall cease to be in force as regards the Contracting Party which denounces it, but shall continue in force for the remaining Contracting Parties.

ARTICLE XX

1. Subject to the provisions of paragraphs 2 and 3 of this Article, the present Agreement shall apply only to the metropolitan territory of a Contracting Party. [*36]
2. Any State may, however, at the time of the deposit of its instrument of ratification or accession or at any time thereafter, declare by notification given to the Government of the United States of America that the present Agreement shall extend (subject, if the State making the declaration considers it to be necessary, to the conclusion of a special agreement between that State and each of the sending States concerned), to all or any of the territories for whose international relations it is responsible in the North Atlantic Treaty area. The present Agreement shall then extend to the territory or territories named therein thirty days after the receipt by the Government of the United States of America of the notification, or thirty days after the conclusion of the special agreements if required, or when it has come into force under Article XVIII, whichever is the later.

3. A State which has made a declaration under paragraph 2 of this Article extending the present Agreement to any territory for whose international relations it is responsible may denounce the Agreement separately in respect of that territory in accordance with the provisions of Article XIX.

In witness whereof the [*37] undersigned Plenipotentiaries have signed the present Agreement.

Done in London this nineteenth day of June, 1951, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

Les Etats Parties au Traite de l'Atlantique Nord, signe a Washington le 4 avril 1949,

Considerant que les forces d'une Partie peuvent, par accord, etre envoyees en service sur le territoire d'une autre Partie;

Etant entendu que la decision d'envoyer ces forces et les conditions auxquelles elles seront envoyees, pour autant que ces dernieres ne sont pas prevues a la presente convention, continueront a faire l'objet d'accords particuliers entre les pays interesses;

Desireux toutefois de determiner le statut de la force armee de l'une des Parties lorsque cette force se trouve en service sur le territoire d'une autre Partie;

Sont convenus des dispositions suivantes:

ARTICLE Ier

1. Dans la presente Convention l'expression:

(a) "force" signifie le personnel [*38] appartenant aux armees de terre, de mer ou de l'air de l'une des Parties Contractantes qui se trouve pour l'execution du service sur le territoire d'une autre Partie Contractante de la region de l'Atlantique Nord, sous reserve

que deux Parties Contractantes interessees peuvent convenir de ne pas considerer certaines personnes, unites ou formations comme constituant une "force" ou en faisant partie au regard des dispositions de la presente Convention;

(b) "element civil" signifie le personnel civil accompagnant la force d'une Partie Contractante et employe par l'une des armees de cette Partie Contractante, et qui n'est ni apatride, ni national d'un Etat non partie au Traite de l'Atlantique Nord, non plus que national de l'Etat sur le territoire duquel la force est en service, ni une personne qui y a sa residence habituelle;

(c) "personne a charge" signifie le conjoint d'un membre d'une force ou d'un element civil faisant partie d'une force, ou les enfants qui sont a leur charge;

(d) "Etat d'origine" signifie la Partie Contractante dont releve la force;

(e) "Etat de sejour" signifie la Partie Contractante sur le territoire de laquelle se trouve la force ou l'element [*39] civil, soit en sejour, soit en transit;

(f) "autorites militaires de l'Etat d'origine" signifie les autorites de l'Etat d'origine qui, en vertu de la legislation de cet Etat, sont chargees d'appliquer les lois militaires dudit Etat aux membres de ses forces ou de ses elements civils;

(g) "Conseil de l'Atlantique Nord" signifie le Conseil etabli par l'Article 9 du Traite de l'Atlantique Nord, ou tout organe subordonne de celui-ci autorise a agir en son nom.

2. La presente Convention est applicable aux autorites des subdivisions politiques des Parties Contractantes, dans les limites des territoires auxquels, conformement aux dispositions de l'Article XX, l'accord s'applique ou est etendu, comme il s'applique aux autorites centrales de ces Parties Contractantes, sous reserve, toutefois, que les biens appartenant aux subdivisions politiques ne seront pas consideres comme etant des biens appartenant, au sens de l'Article VIII, a une Partie Contractante.

ARTICLE II

Les membres d'une force ou d'un element civil, ainsi que les personnes a leur charge, sont tenus de respecter les lois en vigueur dans l'Etat de sejour et de s'abstenir sur le territoire de cet Etat de toute activite [*40] incompatible avec l'esprit de la presente Convention et en particulier de toute activite politique. Au surplus les autorites de l'Etat d'origine sont tenues de prendre les mesures necessaires a cette fin.

ARTICLE III

1. Sans prejudice des dispositions du paragraphe 2 du present article, et a condition de se conformer aux formalites prescrites par l'Etat de sejour pour l'entree et la sortie d'une force, ou des membres d'une force, ceux-ci sont dispenses des formalites de passeport et de visa, ainsi que de l'inspection par les services d'immigration a l'entree et a la sortie du territoire d'un Etat de sejour. Ils ne sont pas davantage assujettis a la reglementation relative a l'enregistrement et au controle des etrangers. Toutefois, ils ne sont pas consideres comme acquerant des droits a la residence permanente ou au domicile dans les territoires de l'Etat de sejour.

2. Les seuls documents ci-dessous seront exiges des membres d'une force. Ils doivent etre produits a toute requisition:

(a) Carte d'identite personnelle delivree par l'Etat d'origine munie d'une photographie et mentionnant les noms et prenoms, la date de naissance, le grade, le service et, s'il y a lieu, le numero [*41] matricule;

(b) Ordre de mission collectif ou individuel dans la langue de l'Etat d'origine ainsi qu'en anglais et en francais, delivre par le service competent de l'Etat d'origine ou de l'Organisation du Traite de l'Atlantique Nord et attestant le statut de la personne ou de l'unite en tant que membre ou partie d'une force ainsi que l'ordre de deplacement. L'Etat de sejour peut exiger que l'ordre de deplacement soit contresigne par un de ses representants a ce qualifie.

3. Le passeport dont les membres d'un element civil et les personnes a charge seront porteurs devra faire etat de ladite qualite.

4. Si un membre d'une force ou d'un element civil cesse d'etre au service de l'Etat d'origine et n'est pas rapatrie, les autorites de l'Etat d'origine en informent immediatement les autorites de l'Etat de sejour en leur donnant toutes indications utiles. Les autorites de l'Etat d'origine informent, dans les memes conditions, les autorites de l'Etat de sejour de toute absence illegale depassant 21 jours.

5. Si l'Etat de sejour a demande l'eloignement de son territoire d'un membre d'une force ou d'un element civil, ou a pris un arrete d'expulsion contre un ex-membre d'une force ou d'un [*42] element civil ou contre une personne a charge d'un membre ou d'un ex-membre, les autorites de l'Etat d'origine sont tenues de les recevoir sur leur territoire ou tout au moins de leur faire quitter le territoire de l'Etat de sejour. Ce paragraphe ne s'applique qu'aux personnes qui ne sont pas des nationaux de l'Etat de sejour et qui sont entrees dans ledit Etat en qualite de membre d'une force ou d'un element civil ou en vue de le devenir ou de personne a charge de ceux-ci.

ARTICLE IV

L'Etat de sejour peut:

(a) soit accepter comme valable, sans exiger ni examen ni droit ou taxe, le permis de conduire ou le permis de conduire militaire delivre par l'Etat d'origine ou par une de ses subdivisions a un membre d'une force ou d'un element civil;

(b) soit delivrer, sans exiger d'examen, son propre permis de conduire a tout membre d'une force ou d'un element civil, titulaire d'un permis de conduire ou d'un permis de conduire militaire delivre par l'Etat d'origine ou une de ses subdivisions.

ARTICLE V

1. Les membres d'une force portent normalement leur uniforme. Sous reserve de tout arrangement contraire entre les autorites de l'Etat d'origine et de l'Etat de sejour, la tenue [*43] civile sera portee dans les memes conditions que par les forces armees des Etats de sejour. Les unites de formations militaires regulierement constituees d'une force doivent se presenter en uniforme aux frontieres qu'elles franchissent.

2. Les vehicules d'une force ou d'un element civil immatricules a l'armee portent, en plus de leur numero d'immatriculation, une marque distinctive de leur nationalite.

ARTICLE VI

Les membres d'une force peuvent detenir et porter leurs armes a condition d'y etre autorises par le reglement qui leur est applicable. Les autorites de l'Etat d'origine examineront avec bienveillance les demandes que l'Etat de sejour leur presentera en la matiere.

ARTICLE VII

1. Sous reserve des dispositions du present article,

(a) Les autorites militaires de l'Etat d'origine ont le droit d'exercer sur le territoire de l'Etat de sejour les pouvoirs de juridiction penale et disciplinaire que leur confere la legislation de l'Etat d'origine sur toutes personnes sujettes a la loi militaire de cet Etat;

(b) Les autorites de l'Etat de sejour ont le droit d'exercer leur juridiction sur les membres d'une force ou d'un element civil et les personnes a leur charge en ce [*44] qui concerne les infractions commises sur le territoire de l'Etat de sejour et punies par la legislation de cet Etat.

2.--(a) Les autorites militaires de l'Etat d'origine ont le droit d'exercer une juridiction exclusive sur les personnes soumises aux lois militaires de cet Etat, en ce qui concerne les infractions punies par la legislation de l'Etat d'origine, notamment les infractions portant atteinte a la surete de cet Etat mais ne tombant pas sous le coup de la legislation de l'Etat de sejour;

(b) Les autorites de l'Etat de sejour ont le droit d'exercer une juridiction exclusive sur les membres d'une force ou d'un element civil et sur les personnes a charge en ce qui concerne les infractions punies par les lois de l'Etat de sejour, notamment les infractions portant atteinte a la surete de cet Etat mais ne tombant pas sous le coup de la legislation de l'Etat d'origine.

(c) Au sens du present paragraphe et du paragraphe 3 du present article, sont consideres comme infractions portant atteinte a la surete d'un Etat:

(i) la trahison,

(ii) le sabotage, l'espionnage ou la violation de la legislation relative aux secrets d'Etat ou de defense nationale.

3. Dans les cas [*45] de juridiction concurrente, les regles suivantes sont applicables:

(a) Les autorites militaires de l'Etat d'origine ont le droit d'exercer par priorite leur juridiction sur le membre d'une force ou d'un element civil en ce qui concerne:

- (i) Les infractions portant atteinte uniquement à la sûreté ou à la propriété de cet Etat ou les infractions portant atteinte uniquement à la personne ou à la propriété d'un membre de la force, ou d'un élément civil de cet Etat ainsi que d'une personne à charge;
- (ii) Les infractions résultant de tout acte ou négligence accomplis dans l'exécution du service.

(b) Dans le cas de toute autre infraction, les autorités de l'Etat de séjour exercent par priorité leur juridiction.

(c) Si l'Etat qui a le droit d'exercer par priorité sa juridiction décide d'y renoncer, il le notifiera aussitôt que possible aux autorités de l'autre Etat. Les autorités de l'Etat qui a le droit d'exercer par priorité sa juridiction examinent avec bienveillance les demandes de renonciation à ce droit, présentées par les autorités de l'autre Etat, lorsque celles-ci estiment que des considérations particulièrement importantes le justifient.

4. Les dispositions [*46] du présent article ne comportent pour les autorités militaires de l'Etat d'origine aucun droit d'exercer une juridiction sur les nationaux de l'Etat de séjour ou sur les personnes qui y ont leur résidence habituelle, à moins que ceux-ci soient membres des forces armées de l'Etat d'origine.

5.--(a) Les autorités des Etats de séjour et d'origine se prêtent mutuellement assistance pour l'arrestation des membres d'une force de l'Etat d'origine ou d'un élément civil ou des personnes à charge sur le territoire de l'Etat de séjour et pour leur remise à l'autorité qui a exercé sa juridiction conformément aux dispositions ci-dessus.

(b) Les autorités de l'Etat de séjour notifient dans les délais les plus brefs aux autorités militaires de l'Etat d'origine l'arrestation de tout membre d'une force ou d'un élément civil ou d'une personne à charge.

(c) La garde d'un membre d'une force ou d'un élément civil sur lequel l'Etat de séjour a exercé son droit de juridiction et qui est entre les mains des autorités de l'Etat d'origine demeurera assurée par celles-ci jusqu'à ce que des poursuites aient été engagées contre lui par l'Etat de séjour.

6.--(a) Les autorités des Etats de [*47] séjour et d'origine se prêtent mutuellement assistance pour la conduite des enquêtes, pour la recherche de preuves, y compris la saisie, et s'il y a lieu, la remise des pièces à conviction et des objets de l'infraction. La remise des pièces et objets saisis peut toutefois être subordonnée à leur restitution dans un délai déterminé par l'autorité qui procède à cette remise.

(b) Les autorités des Parties Contractantes, dans les cas où il y a juridiction concurrente, s'informent réciproquement de la suite donnée aux affaires.

7.--(a) Il ne peut être procédé par les autorités de l'Etat d'origine à l'exécution d'une condamnation capitale sur le territoire de l'Etat de séjour si la législation de ce dernier ne prévoit pas la peine de mort dans un cas analogue.

(b) Les autorites de l'Etat de sejour examinent avec bienveillance les demandes des autorites de l'Etat d'origine en vue de preter assistance a celles-ci pour l'execution des peines d'emprisonnement prononcees sur le territoire de l'Etat de sejour par lesdites autorites conformement aux dispositions du present article.

8. Lorsqu'un inculpe a ete juge conformement aux dispositions de cet article par les autorites d'une [*48] Partie Contractante et a ete acquitte ou, en cas de condamnation, s'il subit ou a subi sa peine ou a ete gracie, il ne peut plus etre juge de nouveau sur le meme territoire, du chef de la meme infraction, par les autorites d'une autre Partie Contractante. Toutefois, ce paragraphe ne s'oppose en rien a ce que les autorites militaires de l'Etat d'origine jugent un membre d'une force pour toute violation des regles de discipline resultant de l'acte ou de l'omission constitutive de l'infraction pour laquelle il a ete juge.

9. Quand un membre d'une force ou d'un element civil ou une personne a charge est poursuivi devant les juridictions de l'Etat de sejour, il a droit:

- (a) a etre juge rapidement;
- (b) a etre tenu informe, avant les debats, de l'accusation ou des accusations portees contre lui;
- (c) a etre confronte avec les temoins a charge;
- (d) a ce que les temoins a decharge soient contraints de se presenter si la juridiction de l'Etat de sejour a le pouvoir de les y obliger;
- (e) a etre represente selon son choix ou a etre assiste dans les conditions legales en vigueur a l'epoque dans l'Etat de sejour;
- (f) s'il l'estime necessaire, au service d'un interprete [*49] competent;
- (g) a communiquer avec un representant du gouvernement de l'Etat d'origine, et lorsque les regles de procedure le permettent, a la presence de ce representant aux debats.

10.--(a) Les unites ou formations militaires regulierement constituees d'une force ont le droit de police sur tous les camps, etablissements ou autres installations occupes par elles en vertu d'un accord avec l'Etat de sejour. La police militaire des unites ou formations peut prendre toutes les mesures utiles pour assurer le maintien de l'ordre et de la securite dans ces installations.

(b) L'emploi de ladite police militaire hors de ces installations est subordonne a un accord avec les autorites de l'Etat de sejour, se fait en liaison avec celles-ci et n'intervient que pour autant que cela est necessaire pour maintenir l'ordre et la discipline parmi les membres de ces unites ou formations.

11. Chacune des Parties Contractantes soumettra au pouvoir legislatif les projets qu'elle estime necessaires pour permettre d'assurer sur son territoire la securite et la protection des installations, du materiel, des proprietes, des archives et des documents officiels des autres Parties Contractantes [*50] ainsi que la repression des infractions a cette legislation.

ARTICLE VIII

1. Chaque Partie Contractante renonce a toute demande d'indemnite a l'encontre d'une autre Partie Contractante pour les dommages causes aux biens de l'Etat qui sont utilises par ses forces armees de terre, de mer et de l'air.

- (i) si le dommage est cause par un membre des forces armees de l'autre Partie Contractante, ou par un employe de celle-ci, dans l'exercice de ses fonctions dans le cadre du Traite de l'Atlantique Nord;
- (ii) ou s'il est cause par un vehicule, un navire ou un aeronef d'une Partie Contractante et utilise par ses forces armees, a condition, ou que le vehicule, le navire ou l'aeronef cause du dommage ait ete utilise pour des actions entreprises dans le cadre des operations du Traite de l'Atlantique Nord, ou que le dommage ait ete cause a des biens utilises dans les memes conditions.

Les demandes d'indemnites pour sauvetage maritime formulees par une Partie Contractante a l'encontre d'une autre Partie Contractante font l'objet de la meme renonciation, sous reserve que le navire ou la cargaison sauves soient la propriete d'une Partie Contractante et soient utilises par ses forces armees [*51] a l'occasion d'actions entreprises dans le cadre du Traite de l'Atlantique Nord.

2.--(a) Dans le cas de dommages autres que ceux prevus au paragraphe 1 ci-dessus qui ont ete causes aux biens d'une Partie Contractante situes sur le territoire de celle-ci, et pour autant que les Parties Contractantes interessees n'aient pas conclu d'autre accord, il sera prononce sur la responsabilite et le montant du dommage par un arbitre unique choisi conformement aux dispositions de l'alinea (b) ci-dessous. L'arbitre connaitra egalement des demandes reconventionnelles eventuelles.

(b) L'arbitre prevu a l'alinea (a) ci-dessus sera choisi par accord entre les Parties Contractantes interessees parmi les nationaux de l'Etat de sejour exerçant ou ayant exerce une haute fonction judiciaire. Si les Parties Contractantes interessees n'ont pu, a l'expiration d'un delai de deux mois, se mettre d'accord sur la designation de cet arbitre, l'une ou l'autre pourra demander au president des Suppleants du Conseil de l'Atlantique Nord de choisir une personne repondant aux qualifications indiquees ci-dessus:

(c) Toute decision prise par l'arbitre sera definitive et liera les Parties Contractantes; [*52]

(d) Le montant de toute indemnite attribuee par l'arbitre sera reparti comme il est prevu au paragraphe 5 (e) (i), (ii) et (iii) ci-dessous;

(e) La remuneration de l'arbitre sera fixee par accord entre les Parties Contractantes interessees et sera, ainsi que les depenses qu'aura occasionnees l'accomplissement de ses fonctions, supportes par parts egales par lesdites Parties.

(f) Toutefois, chaque Partie Contractante renonce a demander une indemnite si le montant du dommage est inferieur aux montants suivants:

Belgique: Fr.b. 70.000. Luxembourg: Fr.l. 70.000.

Canada: \$ 1.460. Pays-Bas: Fl. 5.320.

Danemark: Kr. 9.670.	Norvege: Kr. 10.000.
France: Fr.fr. 490.000.	Portugal: Es. 40.250.
Islande: Kr. 22.800.	Royaume-Uni: £ 500.
Italie: Li. 850.000.	Etats-Unis: \$ 1.400.

Toute autre Partie Contractante dont les biens auraient ete endommages dans le meme incident renoncera aussi a sa reclamation a concurrence des montants indiques ci-dessus. Dans le cas de variation importante du cours des changes, les Parties Contractantes procederont a l'ajustement des chiffres ci-dessus.

3. Les dispositions des paragraphes 1 et 2 du present article s'appliquent a tout navire affrete [*53] en coque nue par une Partie Contractante, ou requisitionne par elle avec un contrat d'affrettement en coque nue, ou de bonne prise (sauf en ce qui concerne la partie du risque de perte et de la responsabilite supportee par une autre personne que cette Partie Contractante).

4. Chaque Partie Contractante renonce a demander une indemnite a une autre Partie Contractante dans le cas ou un membre de ses forces armees a subi des blessures ou est mort dans l'execution du service.

5. Les demandes d'indemnite (autres que celles resultant de l'application d'un contrat et que celles auxquelles les paragraphes 6 ou 7 du present article sont applicables) du chef d'actes ou de negligences dont un membre d'une force ou un element civil est responsable dans l'execution du service ou du chef de tout autre acte, negligence ou incident dont une force ou un element civil est legalement responsable et qui ont cause sur le territoire de l'Etat de sejour des dommages a un tiers autre que l'une des Parties Contractantes, seront reglees par l'Etat de sejour conformement aux dispositions suivantes:

- (a) Les demandes d'indemnites sont introduites, instruites et les decisions prises, conformement aux lois [*54] et reglements de l'Etat de sejour applicables en la matiere a ses propres forces armees;
- (b) L'Etat de sejour peut statuer sur ces dommages; il procede au paiement des indemnites allouees dans sa propre monnaie;
- (c) Ce paiement, qu'il resulte du reglement direct de l'affaire ou d'une decision de la juridiction competente de l'Etat de sejour, ou la decision de la meme juridiction deboutant le demandeur, lie definitivement les Parties Contractantes;
- (d) Toute indemnite payee par l'Etat de sejour sera portee a la connaissance des Etats d'origine interesses qui recevront en meme temps un rapport circonstancie et une proposition de repartition etablie conformement aux alineas (e) (i), (ii) et (iii) ci-dessous. A defaut de reponse dans les deux mois, la proposition sera consideree comme acceptee;
- (e) La charge des indemnites versees pour la reparation des dommages vises aux alineas precedents et au paragraphe 2 du present article sera repartie entre les Parties Contractantes dans les conditions suivantes:

(i) Quand un seul Etat d'origine est responsable, le montant de l'indemnite est reparti a concurrence de 25 pour cent pour l'Etat de sejour et 75 pour cent pour [*55] l'Etat d'origine;

(ii) Quand la responsabilite est encourue par plus d'un Etat, le montant de l'indemnite est reparti entre eux par parts egales; toutefois, si l'Etat de sejour n'est pas un des Etats responsables, sa part sera la moitie de celle de chacun des Etats d'origine;

(iii) Si le dommage est cause par les forces armees des Parties Contractantes sans qu'il soit possible de l'attribuer d'une maniere precise a l'une ou a plusieurs de ces forces armees, le montant de l'indemnite sera reparti egalement entre les Parties Contractantes interesseees; toutefois, si l'Etat de sejour n'est pas un des Etats dont les forces armees ont cause le dommage, sa part sera la moitie de celle de chacun des Etats d'origine;

(iv) Semestriellement, un etat des sommes payees par l'Etat de sejour au cours du semestre precedent pour les affaires pour lesquelles une repartition en pourcentage a ete admise, sera adresse aux Etats d'origine interesseees accompagne d'une demande de remboursement. Le remboursement sera fait dans les plus brefs delais, dans la monnaie de l'Etat de sejour;

(f) Dans le cas ou, par suite de l'application des dispositions des alinea (b) et (e) ci-dessus, une [*56] Partie Contractante se verrait imposer une charge qui l'affecterait trop lourdement, elle peut demander au Conseil de l'Atlantique Nord de proceder a un reglement de l'affaire sur une base differente;

(g) Aucune voie d'execution ne peut etre pratiquee sur un membre d'une force ou d'un element civil lorsqu'un jugement a ete prononce contre lui dans l'Etat de sejour s'il s'agit d'un litige ne d'un acte accompli dans l'execution du service;

(h) Excepte dans la mesure ou l'alinea (e) du present paragraphe s'applique aux demandes d'indemnite couvertes par le paragraphe 2 du present article, les dispositions du present paragraphe ne s'appliquent pas dans le cas de navigation, d'exploitation d'un navire, de chargement ou de dechargement ou de transport d'une cargaison, sauf s'il y a eu mort ou blessure d'une personne et que le paragraphe 4 ne soit pas applicable.

6. Les demandes d'indemnite contre les membres d'une force armee ou d'un element civil fondees sur des actes dommageables ou des negligences qui n'ont pas ete accomplis dans l'execution du service sont reglees de la facon suivante:

(a) Les autorites de l'Etat de sejour instruisent la demande d'indemnite et fixent [*57] d'une maniere juste et equitable l'indemnite due au demandeur, en tenant compte de toutes les circonstances de la cause, y compris la conduite et le comportement de la

personne lesee, et elles etablissent un rapport sur l'affaire;

(b) Ce rapport est envoye aux autorites de l'Etat d'origine qui decident alors sans delai si elles procederont a une indemnisation a titre gracieux, et dans ce cas, en fixant le montant;

(c) Si une offre d'indemnite a titre gracieux est faite et acceptee a titre de dedommagement integral par le demandeur, les autorites de l'Etat d'origine effectuent elles-memes ce paiement et font connaitre aux autorites de l'Etat de sejour leur decision et le montant de la somme versee;

(d) Les dispositions du present paragraphe ne s'opposent en rien a ce que la juridiction de l'Etat de sejour statue sur l'action qui pourrait etre intentee contre un membre d'une force ou d'un element civil pour autant toutefois qu'un paiement entierement satisfaisant n'ait pas ete effectue.

7. Les demandes d'indemnite fondees sur l'usage non autorise de tout vehicule des forces armees d'un Etat d'origine seront traitees conformement aux dispositions du paragraphe 6 du present [*58] article sauf dans le cas ou la force elle-meme ou l'element civil est legalement responsable.

8. S'il y a contestation sur le point de savoir si l'acte dommageable ou la negligence d'un membre d'une force ou d'un element civil ont ete accomplis dans l'execution du service ou sur le point de savoir si l'utilisation d'un vehicule appartenant aux forces armees d'un Etat d'origine n'avait pas ete autorisee, l'affaire est portee devant un arbitre designe conformement au paragraphe 2 (b) du present article, qui decide souverainement sur ce point.

9. Sauf dans les conditions prevues au paragraphe 5 (g) du present article, l'Etat d'origine ne peut, en ce qui concerne la juridiction civile des tribunaux de l'Etat de sejour, se prevaloir de l'immunité de juridiction des tribunaux de l'Etat de sejour en faveur des membres d'une force ou d'un element civil.

10. Les autorites de l'Etat d'origine et de l'Etat de sejour se pretent assistance pour la recherche des preuves necessaires a un examen equitable et a une decision en ce qui concerne les demandes d'indemnites qui interessent les Parties Contractantes.

ARTICLE IX

1. Les membres d'une force ou d'un element civil ainsi que les personnes [*59] a leur charge peuvent se procurer sur place les marchandises necessaires a leur propre consommation et les services dont ils ont besoin, dans les memes conditions que les ressortissants de l'Etat de sejour.

2. Les marchandises achetees sur place destinees a la subsistance d'une force ou d'un element civil seront normalement achetees par l'entremise des services competents pour l'achat de telles marchandises pour les forces armees de l'Etat de sejour. Pour eviter que ces achats n'aient un effet dommageable pour l'economie de l'Etat de sejour, les autorites competentes de ce dernier designeront les articles qu'il conviendrait, le cas echeant, d'exclure totalement ou partiellement desdits achats.

3. Sous reserve de l'application des accords en vigueur ou qui pourront etre conclus par les autorites competentes des Etats de sejour et d'origine, les autorites de l'Etat de sejour prennent seules les mesures appropriees pour que soient mis a la disposition d'une force ou d'un element civil, les immeubles ainsi que les services y afferents dont ceux-ci peuvent avoir besoin. Ces accords et arrangements seront dans la mesure du possible conformes aux reglements concernant le logement et

le cantonnement [*60] du personnel similaire de l'Etat de sejour. A defaut de convention stipulant le contraire, les droits et obligations naissant de l'occupation ou de l'utilisation d'un immeuble ainsi que de l'usage des services et servitudes y afférents sont régis par les lois de l'Etat de sejour.

4. Les besoins locaux en main d'oeuvre civile d'une force ou d'un élément civil sont satisfaits de la même manière que ceux des services analogues de l'Etat de sejour, avec leur assistance et par l'entremise des services de la main d'oeuvre. Les conditions d'emploi et de travail, notamment les salaires et accessoires de salaires et les conditions de protection des travailleurs, sont réglées conformément à la législation en vigueur dans l'Etat de sejour. Ces travailleurs civils employés par une force ou par un élément civil ne sont considérés en aucun cas comme membres de cette force ou de cet élément civil.

5. Si les services médicaux et dentaires attachés à une force ou à un élément civil sont insuffisants, leurs membres ainsi que les personnes à leur charge peuvent recevoir les soins médicaux et dentaires, y compris l'hospitalisation, dans les mêmes conditions que le personnel correspondant de l'Etat de [*61] sejour.

6. L'Etat de sejour examinera avec bienveillance les demandes de facilités de circulation et de réductions de tarifs qu'il peut accorder aux membres d'une force armée ou d'un élément civil. Ces facilités et réductions feront l'objet de dispositions particulières entre les gouvernements intéressés.

7. Sous réserve de tout accord financier général ou particulier entre les parties contractantes, les paiements en monnaie locale pour les marchandises, le logement et les services prévus aux paragraphes 2, 3, 4 et si nécessaire 5 et 6 du présent article seront effectués sans délai par les autorités de la force.

8. Une force, un élément civil, leurs membres, ou les personnes à leur charge ne peuvent se prévaloir du présent article pour revendiquer une exonération d'impôts ou taxes applicables aux achats de biens et aux prestations de services en vertu de la réglementation fiscale de l'Etat de sejour.

ARTICLE X

1. Si, dans l'Etat de sejour, l'établissement d'un impôt quelconque est fonction de la résidence ou du domicile du redevable, les périodes au cours desquelles un membre d'une force ou d'un élément civil sera présent dans le territoire de cet Etat, en raison uniquement de sa [*62] qualité de membre de cette force ou de cet élément civil, ne seront pas considérées, pour l'établissement dudit impôt, comme périodes de résidence ou comme entraînant un changement de résidence ou de domicile. Les membres d'une force ou d'un élément civil seront exonérés dans l'Etat de sejour de tout impôt sur les traitements et emoluments qui leur sont payés en cette qualité par l'Etat d'origine ainsi que sur tous biens, meubles corporels leur appartenant et dont l'existence dans l'Etat de sejour est due uniquement à leur présence temporaire dans cet Etat.

2. Le présent article n'exonérera en aucune façon le membre d'une force ou d'un élément civil des impôts afférents aux activités génératrices de profits, autres que celles qu'il exerce en cette qualité, auxquelles il pourrait se livrer dans l'Etat de sejour. Sauf en ce qui concerne le traitement, les emoluments, ainsi que les biens meubles corporels, visés au paragraphe 1, les dispositions du présent article ne s'opposent en rien à la perception des impôts auxquels ledit membre est assujetti en vertu de la loi de l'Etat de sejour, même s'il est considéré comme ayant sa résidence ou son domicile hors

du territoire de cet Etat.

3. [*63] Les dispositions du present article ne sont pas applicables aux "droits" tels qu'ils sont definis au paragraphe 12 de l'article XI.

4. Au regard des dispositions du present article, l'expression "membre d'une force" ne s'applique pas a une personne ayant la nationalite de l'Etat de sejour.

ARTICLE XI

1. Sous reserve des derogations etablies par la presente Convention, les membres d'une force ou d'un element civil ainsi que les personnes a leur charge sont soumis aux lois et reglements dont l'application est confiee a l'administration des douanes de l'Etat de sejour. Les agents de cette administration ont notamment le droit de proceder dans les conditions generales prevues par la legislation et la reglementation en vigueur dans l'Etat de sejour, a la visite des membres d'une force ou d'un element civil ainsi que des personnes a leur charge, de leurs bagages et de leurs vehicules; ils ont egalement le droit de saisie conformement a cette legislation et a cette reglementation.

2.--(a) L'importation temporaire et la reexportation des vehicules immatricules a l'armee appartenant a une force ou a un element civil circulant par leurs propres moyens sont autorisees en franchise de [*64] droits sur presentation d'un tryptique du modele figurant en annexe a la presente Convention.

(b) L'importation temporaire de vehicules immatricules a l'armee, ne circulant pas par leurs propres moyens, se fera dans les conditions fixees au paragraphe 4 et leur reexportation dans les conditions fixees au paragraphe 8 du present article.

(c) Les vehicules immatricules a l'armee appartenant a une force ou a un element civil beneficient egalement de l'exemption des taxes qui pourraient etre dues en raison de la circulation des vehicules sur les routes.

3. Les documents officiels sous pli scelle d'un sceau officiel ne sont pas soumis a la visite et au controle de la douane. Les courriers qui en effectuent le transport doivent etre munis, quelle que soit leur qualite, d'un ordre de mission individuel delivre dans les conditions indiquees a l'article III, paragraphe 2 (b). Cet ordre de mission doit mentionner le nombre de plis et certifier que ceux-ci ne contiennent que des documents officiels.

4. Une force peut importer en franchise de droits son equipement et des quantites raisonnables d'approvisionnement, materiels et autres marchandises destines a l'usage exclusif de cette [*65] force ou, dans les cas ou cela est autorise par l'Etat de sejour, a l'usage de l'element civil et des personnes a charge. L'admission ainsi prevue en franchise est subordonnee au depot, au Bureau des douanes, a l'appui des documents de douane que l'on aura convenu de fournir, d'une attestation dont la forme aura ete acceptee par l'Etat de sejour et par l'Etat d'origine, signee par une personne habilitee a cet effet par l'Etat d'origine. La designation de la personne habilitee a signer les attestations ainsi que les specimens de sa signature et des cachets utilises seront adresseees aux administrations douanieres de l'Etat de sejour.

5. Un membre d'une force ou d'un element civil peut, a l'occasion de sa premiere arrivee en vue de prendre son service dans l'Etat de sejour, ou a l'occasion de la premiere arrivee d'une personne a sa

charge venue l'y rejoindre, importer ses effets et son mobilier personnels en franchise de droits pour la duree de son sejour.

6. Les membres d'une force ou d'un element civil peuvent beneficier de la franchise temporaire des droits en cas d'importation temporaire de vehicules a moteur prives destines a leur usage personnel et a celui des personnes a leur charge. [*66] Cette disposition n'entraine pas l'obligation d'exemption des taxes qui pourraient etre dues pour l'usage des routes par les vehicules prives.

7. Les importations faites par les autorites d'une force pour des fins autres que la satisfaction des besoins exclusifs de cette force ou de son element civil, ainsi que les importations, autres que celles visees aux paragraphes 5 et 6 du present article, effectuees par les membres d'une force armee ou d'un element civil, ne beneficient, en application du present article, d'aucune exemption de droits ni d'aucune dispense de formalites.

8. Les marchandises admises en franchise en application des dispositions des paragraphes 2 (b), 4, 5 ou 6 ci-dessus:

(a) Peuvent etre reexportees librement a condition que, en ce qui concerne les marchandises importees en application du paragraphe 4, soit remise au Bureau des douanes une attestation delivree dans les conditions prevues a ce paragraphe. Le service des douanes conserve cependant le droit de verifier, s'il y a lieu, que les marchandises reexportees sont bien celles decrites sur l'attestation dans le cas ou celle-ci est necessaire, et ont ete reellement importees dans les conditions prevues [*67] aux paragraphes 2 (b), 4, 5 ou 6, suivant le cas;

(b) Ne peuvent normalement etre cedees a titre onereux ou gratuit dans l'Etat de sejour. Cependant, dans des cas particuliers, une telle cession peut etre autorisee, sous reserve des conditions imposees par les autorites competentes de l'Etat de sejour (par exemple, paiement des droits et taxes, accomplissement des formalites inherentes au controle du commerce exterieur et des changes).

9. Les exportations de marchandises achetees dans l'Etat de sejour sont soumises a la reglementation en vigueur sur le territoire dudit Etat.

10. Des facilites particulières sont accordées par les autorites douanières pour le passage des frontières par des unités ou formations régulièrement encadrées, à condition que les autorités douanières intéressées aient reçu la notification appropriée en temps utile.

11. Des dispositions spéciales seront prises par l'Etat de sejour afin que les carburants et lubrifiants destinés à l'usage des véhicules immatriculés à l'armée, des aéronefs et bateaux militaires d'une force ou d'un élément civil soient libres exempts de tous droits et taxes.

12. Pour l'application des dix premiers paragraphes du présent [*68] article,

le mot "droits" s'entend des droits de douane et de tous autres droits et taxes frappant, suivant le cas, l'importation ou l'exportation, à l'exception des droits et taxes qui constituent un remboursement de frais pour service rendu. Le mot "importation" inclut

l'enlevement des marchandises placees dans un entrepot de douanes ou sous un regime analogue, a condition qu'il s'agisse de marchandises qui n'aient ete, ni recoltees, ni fabriquees, ni manufacturees dans l'Etat de sejour.

13. Les dispositions du present article s'appliquent non seulement aux marchandises importees dans l'Etat de sejour ou exportees de cet Etat, mais aussi aux marchandises en transit a travers le territoire d'une Partie Contractante. En l'occurrence, l'expression "Etat de sejour" s'entend, dans le present article, de toute Partie Contractante a travers le territoire de laquelle les marchandises transitent.

ARTICLE XII

1. Toute exemption ou facilite douaniere ou fiscale accordee en vertu de la presente Convention est subordonnee a l'observation des dispositions que les autorites douanieres ou fiscales de l'Etat de sejour peuvent estimer necessaires pour prevenir des abus.

2. Les memes autorites [*69] peuvent decider que ne benefieront pas des exemptions prevues par le present accord les importations de produits recoltes, fabriques ou maunfactures dans l'Etat de sejour et exportes au prealable en franchise ou moyennant restitution des droits et taxes qui etaient dus dans le cas ou ces produits n'auraient pas ete exportes. Cette disposition s'applique egalement a des marchandises enlevees d'un entrepot de douane, si le depot dans cet entrepot a ete considere comme une exportation.

ARTICLE XIII

1. En vue de la repression des infractions aux lois et reglements douaniers et fiscaux, les autorites des Etats de sejour et d'origine se pretent un mutuel concours pour proceder aux enquetes et a la recherche des preuves.

2. Les autorites d'une force donnent toute l'assistance en leur pouvoir afin que les marchandises susceptibles de saisie, par les autorites douanieres ou fiscales de l'Etat de sejour ou a leur profit, soient remises a celles-ci.

3. Les autorites d'une force s'engagent a faire tout ce qui est en leur pouvoir afin que les droits, taxes et amendes dus soient acquittes par les membres de cette force ou de son element civil, ainsi que par les personnes a leur charge.

4. Les [*70] vehicules immatricules a l'armee et les marchandises appartenant a une force ou a son element civil et non a un de leurs membres, et saisis par les autorites de l'Etat de sejour a l'occasion d'une infraction douaniere ou fiscale, sont remis aux autorites competentes de cette force.

ARTICLE XIV

1. Une force, un element civil, leurs membres, ainsi que les personnes a leur charge, demeurent assujettis aux regles du controle des changes de l'Etat d'origine et doivent se conformer aux reglements de l'Etat de sejour.

2. Les autorites chargees du controle des changes des Etats d'origine et de sejour peuvent mettre en vigueur des dispositions speciales applicables a une force, a son element civil ou a leurs membres

ainsi qu'aux personnes a leur charge.

ARTICLE XV

1. Sous reserve des dispositions du paragraphe 2 ci-dessous, la presente Convention reste en vigueur en cas d'hostilites entrainant l'application des dispositions du Traite de l'Atlantique Nord. Toutefois, les dispositions relatives au reglement des dommages contenues dans les paragraphes 2 et 5 de l'article VIII ne s'appliquent pas aux dommages de guerre et les dispositions de la presente Convention, notamment celles des articles [*71] III et VII, font immediatement l'objet d'un nouvel examen par les Parties Contractantes interessees. Celles-ci peuvent eventuellement convenir des modifications qui apparaitraient desirables en ce qui concerne l'application de la Convention entre elles.

2. Dans le cas d'hostilites telles qu'elles sont definiennes ci-dessus, chaque Partie Contractante a le droit, en le notifiant dans un delai de 60 jours aux autres Parties Contractantes, de suspendre l'application de l'une quelconque des dispositions de la Convention pour autant que de besoin. Si ce droit est exerce, les Parties Contractantes se consultent immediatement en vue de se mettre d'accord sur les dispositions propres a remplacer celles dont l'application est suspendue.

ARTICLE XVI

Toute contestation entre les Parties Contractantes en ce qui concerne l'interpretation ou l'application de la presente Convention est reglee par negociations entre elles sans recours a une juridiction exteriere. Sauf dans les cas ou la presente Convention contient une disposition contraire, les contestations qui ne peuvent pas etre reglees par negociations directes, seront portees devant le Conseil de l'Atlantique Nord.

ARTICLE XVII

Chaque Partie [*72] Contractante peut a tout moment demander la revision de tout article de la presente Convention. La demande sera adressee au Conseil de l'Atlantique Nord.

ARTICLE XVIII

1. La presente Convention sera ratifiee et les instruments de ratification seront deposes aussitot que possible aupres du gouvernement des Etats-Unis d'Amerique qui notifiera la date de ces depots a chaque Etat signataire.

2. La presente Convention entrera en vigueur trente jours apres le depot par quatre Etats signataires de leurs instruments de ratification. Elle entrera en vigueur pour chacun des autres Etats signataires trente jours apres le depot de son instrument de ratification.

3. Apres son entree en vigueur, la presente Convention, sous reserve de l'approbation du Conseil de l'Atlantique Nord et aux conditions que ce dernier pourra fixer, sera ouverte a tout Etat adherent au Traite de l'Atlantique Nord. L'accession deviendra effective par le depot d'un instrument d'accession aupres du gouvernement des Etats-Unis d'Amerique qui notifiera a chaque signataire et a l'Etat accedant la date de depot dont il s'agit. La presente Convention entrera en vigueur, au regard de tout Etat au nom duquel un instrument d'accession [*73] sera depose, trente jours apres la date de depot de cet instrument.

ARTICLE XIX

1. La presente Convention pourra etre denoncée par chaque Partie Contractante apres l'expiration d'un delai de quatre ans a dater de son entree en vigueur.
2. La denonciation de la Convention par une Partie Contractante se fera par notification ecrite adressee par cette Partie au gouvernement des Etats-Unis d'Amerique qui informera toutes les autres Parties Contractantes de cette notification et de la date de sa reception.
3. La denonciation prendra effet un an apres reception de sa notification par le gouvernement des Etats-Unis d'Amerique. Apres l'expiration de cette periode d'un an, la Convention cessera d'etre en vigueur pour la Partie qui l'aura denoncée, mais restera en vigueur entre les autres Parties Contractantes.

ARTICLE XX

1. Sous reserve des dispositions des paragraphes 2 et 3 ci-dessous, la presente Convention s'applique uniquement au territoire metropolitain d'une Partie Contractante.
2. Toutefois un Etat peut, lors du depot de ses instruments de ratification ou d'accession, ou ulterieurement, declarer, par notification au gouvernement des Etats-Unis, que la presente Convention s'étendra [*74] a tous les territoires ou a tels des territoires dont les relations internationales sont assurees par lui dans la region de l'Atlantique Nord, sous reserve, si l'Etat qui fait la declaration l'estime necessaire, de la conclusion d'un accord particulier entre ledit Etat et chacun des Etats d'origine. La presente Convention sera appliquee pour le territoire ou les territoires ainsi mentionnes, 30 jours apres la reception par le gouvernement des Etats-Unis d'Amerique de la notification, ou 30 jours apres la conclusion de l'accord particulier eventuel, ou, lors de l'entree en vigueur de la Convention telle qu'elle est definie a l'article 18, si celle-ci intervient apres ce delai.
3. Un Etat qui a fait la declaration prevue au paragraphe (2) ci-dessus du present article en vue d'etendre la Convention a un territoire dont il assure les relations internationales, peut denoncer la Convention dans les conditions prevues a l'article 19 en ce qui concerne ce seul territoire.

En foi de quoi les Plenipotentiaires ci-dessous designes ont signe la presente Convention.

Fait a Londres le dix-neuf juin 1951, en anglais et en francais, les deux textes faisant egalement foi, en un simple exemplaire qui [*75] restera depose dans les archives du gouvernement des Etats-Unis d'Amerique. Le gouvernement des Etats-Unis d'Amerique en transmettra des copies authentiques a tous les gouvernements signataires et adherents.

I CERTIFY THAT the foregoing is a true copy of the agreement between the parties to the North Atlantic Treaty regarding the status of their forces which was signed in the English and French languages at London on June 19, 1951, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, DEAN ACHESON, Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the authentication officer of the said department, at the City of Washington, in the District of Columbia, this seventeenth day of July 1951.

[SEAL]

Secretary of State.

By

Authentication Officer,

Department of State.

WHEREAS the Senate of the United States of America by their resolution of July 15, 1953, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Agreement with the following statement: [*76]

"It is the understanding of the Senate, which understanding inheres in its advice and consent to the ratification of the Agreement, that nothing in the Agreement diminishes, abridges, or alters the right of the United States of America to safeguard its own security by excluding or removing persons whose presence in the United States is deemed prejudicial to its safety or security, and that no person whose presence in the United States is deemed prejudicial to its safety or security shall be permitted to enter or remain in the United States.

"In giving its advice and consent to ratification, it is the sense of the Senate that:

1. The criminal jurisdiction provisions of Article VII do not constitute a precedent for future agreements;
2. Where a person subject to the military jurisdiction of the United States is to be tried by the authorities of a receiving state, under the treaty the Commanding Officer of the Armed forces of the United States in such state shall examine the laws of such state with particular reference to the procedural safeguards contained in the Constitution of the United States;
3. If, in the opinion of such commanding officer, under all the circumstances of the [*77] case, there is danger that the accused will not be protected because of the absence or denial of constitutional rights he would enjoy in the United States, the commanding officer shall request the authorities of the receiving state to waive jurisdiction in accordance with the provisions of paragraph 3 (c) of Article VII (which requires the receiving state to give 'sympathetic consideration' to such request) and if such authorities refuse to waive jurisdiction, the commanding officer shall request the Department of State to press such request through diplomatic channels and notification shall be given by the Executive Branch to the Armed Services Committees of the Senate and House of Representatives;
4. A representative of the United States to be appointed by the Chief of Diplomatic Mission with the advice of the senior United States military representative in the receiving state will attend the trial of any such person by the authorities of a receiving

state under the agreement, and any failure to comply with the provisions of paragraph 9 of Article VII of the agreement shall be reported to the commanding officer of the armed forces of the United States in such state who shall then [*78] request the Department of State to take appropriate action to protect the rights of the accused, and notification shall be given by the Executive Branch to the Armed Services Committees of the Senate and House of Representatives."

WHEREAS the said Agreement was duly ratified by the President of the United States of America on July 24, 1953, in pursuance of the aforesaid advice and consent of the Senate and subject to the aforesaid statement;

WHEREAS it is provided in Article XVIII of the said Agreement that thirty days after four signatory States have deposited their instruments of ratification of the Agreement with the Government of the United States of America the Agreement shall come into force between them;

WHEREAS instruments of ratification of the said Agreement were deposited with the Government of the United States of America by France on September 29, 1952, by Norway on February 24, 1953, by Belgium on February 27, 1953, and by the United States of America on July 24, 1953;

WHEREAS an instrument of ratification was also deposited with the Government of the United States of America by Canada on August 28, 1953;

AND WHEREAS, pursuant to the aforesaid provisions of Article [*79] XVIII of the said Agreement, the Agreement came into force on August 23, 1953;

NOW, THEREFORE, be it known that I, Dwight D. Eisenhower, President of the United States of America, do hereby proclaim and make public the said Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces to the end that the same and every article and clause thereof, subject to the statement hereinbefore recited, shall be observed and fulfilled with good faith, on and after August 23, 1953, by the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-seventh day of October in the year of our Lord one thousand nine hundred fifty-three and of the Independence of the United States of America the one hundred seventy-eighth.

SIGNATORIES:

For the Kingdom of Belgium:

Pour le Royaume de Belgique:

OBERT DE THIEUSIES.

For Canada:

Pour le Canada:

L. D. WILGRESS.

For the Kingdom of Denmark:

Pour le Royaume de Danemark:

STEENSEN-LETH.

For France:

Pour la France:

HERVE ALPHAND.

For Iceland:

Pour l'Islande:

GUNNLAUGER [*80] PETURSSON.

For Italy:

Pour l'Italie:

A. ROSSI-LONGHI.

For the Grand Duchy of Luxembourg:

Pour le Grand Duche de Luxembourg:

A. CLASEN.

For the Kingdom of the Netherlands:

Pour le Royaume des Pays-Bas:

A. W. L. TJARDA VAN STARKENBORGH-STACHOUWER.

For the Kingdom of Norway:

Pour le Royaume de Norvege:

DAG BRYN.

For Portugal:

Pour le Portugal:

R. ENNES ULRICH.

The Agreement is only applicable to the territory of Continental Portugal, with the exclusion of the Adjacent Islands and the Overseas Provinces.

For the United Kingdom of Great Britain and Northern Ireland:

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord:

HERBERT MORRISON.

For the United States of America:

Pour les Etats-Unis d'Amerique:

CHARLES M. SPOFFORD.

[SEAL]

DWIGHT D EISENHOWER

By the President:

JOHN FOSTER DULLES

Secretary of State

APPENDICES:

APPENDIX

Country Ministry or Service

TRIPTYQUE *

----- -Footnotes-----

* This document shall be in the language of the sending State and in the English and French languages.

----- -End Footnotes-----

Valid from for temporary importation to of the following [*81] service vehicle:--

To

Type

Registration Number Engine Number

Spare tyres

Fixed Communication Equipment

Name and signature of the holder of the triptyque

Date of issue

By order of

TEMPORARY EXITS AND ENTRIES

Name of Port or Customs Station	Date	Signature and Stamp of Customs Officer
--	-------------	---

Exit

Entry

Exit

Entry

Exit

Entry

Exit

Entry

ANNEXE

Pays Ministere ou Service

TRIPTYQUE *

-----Footnotes-----

* Ce document est etabli dans la langue de l'Etat d'origine, et egalement en anglais et en francais.

-----End Footnotes-----

valable du pour l'entree temporaire du vehicule suivant

au

Marque

Numero d'immatriculation Numero du moteur

Pneumatique de recharge

Materiel de transmission fixe a demeure

Nom et signature du titulaire du triptyque

Delivre le

Par ordre de

SORTIES ET ENTREES TEMPORAIRES

Designation du Bureau des douanes	Date	Visa et cachet de la douane
--	-------------	------------------------------------

Sortie

Entree

Sortie

Entree

Sortie

Entree

Sortie

Entree